

**58-17b-505 Educational and enforcement fund.**

- (1) The director may use the money collected pursuant to Section 58-17b-504 for the following purposes:
  - (a) education and training of licensees under this chapter;
  - (b) enforcement of this chapter by:
    - (i) investigating unprofessional or unlawful conduct;
    - (ii) providing legal representation to the division when legal action is taken against a person engaging in unprofessional or unlawful conduct;
    - (iii) monitoring compliance of renewal requirement; and
    - (iv) education and training of division staff and board members.
- (2) All funding for the purposes listed in Subsection (1) is nonlapsing.
- (3) Any penalty which is not paid may be collected by the director by either referring the matter to a collection agency or bringing an action in the district court of the county in which the person against whom the penalty is imposed resides or in the county where the office of the director is located.
- (4) Any county attorney or the attorney general of the state is to provide legal assistance and advice to the director in any action to collect the penalty. In any action brought to enforce the provisions of this section, reasonable attorney's fees and costs shall be awarded in which the person against whom the penalty is imposed resides or in the county where the office of the director is located.

Enacted by Chapter 280, 2004 General Session